

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Aug 04, 2021**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JESSICA G.,<sup>1</sup>

Plaintiff,

v.

KILOLO KIJAKAZI, Acting  
Commissioner of Social Security,<sup>2</sup>

Defendant.

No. 4:20-CV-5110-EFS

**ORDER GRANTING THE PARTIES'  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g)**

On August 4, 2021, the parties filed a Stipulated Motion for Remand. ECF No. 23. The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings as set forth below. The parties also agree

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<sup>1</sup> To protect the privacy of the social-security Plaintiff, the Court refers to her by first name and last initial or by "Plaintiff." See LCivR 5.2(c).

<sup>2</sup> On July 9, 2021, Ms. Kijakazi became the Acting Commissioner of Social Security. She is therefore substituted for Andrew Saul as Defendant. Fed. R. Civ. P. 25(d); 42 U.S.C. § 405(g).

1 that Plaintiff is entitled to reasonable attorney fees and costs under the Equal  
2 Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to the Court.

3 Consistent with the parties' agreement, **IT IS HEREBY ORDERED:**

- 4 1. The parties' Stipulated Motion for Remand, **ECF No. 23**, is  
5 **GRANTED.**
- 6 2. The case caption is to be **AMENDED** consistent with footnote 2.
- 7 3. Judgment shall be entered for **Plaintiff**.
- 8 4. This matter is **REVERSED** and **REMANDED** to the Commissioner  
9 of Social Security for further administrative proceedings pursuant to  
10 sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council  
11 is to instruct the ALJ to:  
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  - 14 • Obtain evidence from a psychological or psychiatric medical  
15 consultant
  - 16 • Reevaluate whether the severity of the Plaintiff's mental  
17 impairments meets or medically equals the criteria of a listed  
18 impairment
  - 19 • Reevaluate Plaintiff's alleged symptoms
  - 20 • As warranted, reevaluate the opinion evidence of record and  
21 Plaintiff's residual functional capacity, and
  - 22 • If warranted by the expanded record, obtain supplemental  
23 vocational expert evidence to clarify the effect of the assessed  
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1 limitations on Plaintiff's ability to perform other work in the  
2 national economy.

3 5. All pending motions are **DENIED AS MOOT**.

4 6. All hearings and other deadlines are **STRICKEN**.

5 7. If filed, the Court will consider Plaintiff's motion for fees and  
6 expenses under the Equal Access to Justice Act.

7 8. The Clerk's Office is directed to **CLOSE** this file.

8 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order  
9 and provide copies to all counsel.

10 **DATED** this 4<sup>th</sup> day of August 2021.

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14 EDWARD F. SHEA  
15 Senior United States District Judge  
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